

PATENT

Case Docket No. NEREUS.069A

Date: January 23, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Mitchell, et al.  
Appl. No. : 10/673,036  
Filed : September 25, 2003  
For : MACROCYCLIC LACTAMS  
Examiner : Unknown  
Group Art Unit : 1624

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 23, 2004

(Date)

  
Marc T. Morley, Reg. No. 52,051

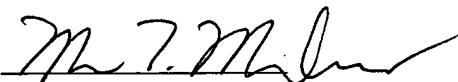
TRANSMITTAL LETTER

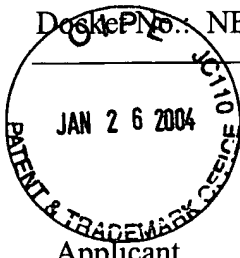
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 listing twenty-nine (29) references, eight (8) of which are enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

  
Marc T. Morley  
Registration No. 52,051  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550



# INFORMATION DISCLOSURE STATEMENT

Applicant : Mitchell, et al.  
 App. No. : 10/673,036  
 Filed : September 25, 2003  
 For : MACROCYCLIC LACTAMS  
 Examiner : Unknown  
 Group Art Unit : 1624

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing twenty-nine (29) references. Copies of twenty-one (21) disclosed U.S. patents are not included pursuant to PTO waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003. However, copies of the other eight (8) references are enclosed.

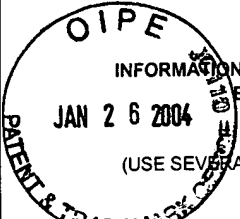
This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP


Dated: 1/23/04

By: M. T. Morley  
 Marc T. Morley  
 Registration No. 52,051  
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE 	ATTY. DOCKET NO. NEREUS.069A	APPLICATION NO. 10/673,036
	APPLICANT Mitchell, et al.	
	FILING DATE September 25, 2003	GROUP 1624

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	5,445,829	08/1995	Paradissis, et al.			
	2	5,565,561	10/1996	Müller, et al.			
	3	5,576,012	11/1996	Baver, et al.			
	4	5,601,845	02/1997	Buxton, et al.			
	5	5,641,515	06/1997	Ramtoola			
	6	5,653,987	08/1997	Modi, et al.			
	7	5,654,286	08/1997	Hostetler			
	8	5,667,809	09/1997	Trevino, et al.			
	9	5,683,676	11/1997	Akehurst, et al.			
	10	5,688,529	11/1997	Lidgate, et al.			
	11	5,707,615	01/1998	Cardin, et al.			
	12	5,707,641	01/1998	Gertner, et al.			
	13	5,726,181	03/1998	Hausheer, et al.			
	14	5,733,888	03/1998	Carver, et al.			
	15	5,874,443	02/1999	Kiely, et al.			
	16	5,886,210	03/1999	Rayle, et al.			
	17	5,922,683	11/1999	Sigl			
	18	6,350,759	02/2002	Casara, et al.			
	19	6,500,825	12/2002	Lan, et al.			
	20	6,506,787	01/2003	Fujishita, et al.			
	21	6,509,331	01/2003	Audia, et al.			

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. NEREUS.069A	APPLICATION NO. 10/673,036
 <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(USE SEVERAL SHEETS IF NECESSARY)</p>		APPLICANT Mitchell, et al.	
		FILING DATE September 25, 2003	GROUP 1624

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	22 Faulkner, D. John, "Marine Pharmacology", <u>Antonie van Leeuwenhoek</u> , Vol. 77, pp. 135-145 (2000).
	23 Fenical, William, et al., "Marine Microorganisms as a Developing Resource for Drug Discovery", <u>Pharmaceutical News</u> , Vol. 9, pp. 489-494 (2002).
	24 Gerber, Nancy N., "A New Prodiginine (Prodigiosin-like) Pigment from <i>Streptomyces</i> . Antimalarial Activity of Several Prodiginines", <u>The Journal of Antibiotics</u> , Vol. XXVIII, No. 3, pp. 194-199 (Mar., 1975).
	25 Kojiri, Katsuhisa, et al., "A New Macrocyclic Lactam Antibiotic, VE-14106, I. Taxonomy, Isolation, Biological Activity and Structural Elucidation", <u>The Journal of Antibiotics</u> , Vol. 45, No. 6, pp. 868-874 (June, 1992).
	26 Okami, Yoshiro, "The Search for Bioactive Metabolites from Marine Bacteria", <u>The Journal of Marine Biotechnology</u> , Vol 1, pp. 59-65 (1993).
	27 Shindo, Kazutoshi, et al., "Vicenistatin, a Novel 20-Membered Macrocyclic Lactam Antitumor Antibiotic", <u>The Journal of Antibiotics</u> , Vol. 46, No. 7, pp. 1076-1081.
	28 Takahashi, I., et al., "Communication to the Editor", <u>The Journal of Antibiotics</u> , Vol. 50, No. 2, 186-188
	29 Wasserman, Harry H., et al., <u>Journal of the American Chemical Society</u> ; Vol. 91, No. 5, pp. 1263-1264 (Feb., 1969).

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EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	